COVERUPS!

Number 24 Gary Mack, Editor and Publisher December 1985

VIII. Mrs. Johnnie Maxie Witherspoon

(13) Committee investigators also interviewed Mrs. Johnnie Maxie Witherspoon.(*23*) Mrs. Witherspoon stated that she became acquainted with Officer Tippit during his employment at Austin's Barbeque.(*24*) Mrs. Witherspoon informed the committee that she and Tippet engaged in a relationship and started dating for a couple of years.(*25*) She said that the relationship ended in the summer of 1963 when her husband returned home.(*26*)

(*23*) Staff interview of Mrs. Johnnie Maxie Witherspoon, Sept. 24, 1977, House Select Committee on Assassinations, p. 1 (JFK Doc. No. 002372).
(*24*) Id. at pp. 1–2.
(*25*) Id. at p. 2.
(*26*) Ibid.

J. D. TIPPIT

SMASHING THE ROSETTA STONE

by Gary Mack

Officer J. D. Tippit, an 11-year veteran of the Dallas Police Department, married and the father of 3, was killed in the line of duty on November 22, 1963, shot by the fleeing assassin of President John F. Kennedy.

That's the Warren Commission explanation, called the Rosetta Stone to the JFK assassination by WC Assistant Counsel David Belin and other no-conspiracy supporters. But new evidence, totally developed by researcher Larry Harris with a sympathetic law enforcement officer, and confirmed by Henry Hurt in his just-released book Reasonable Doubt, indicates Tippit was odd man out in a love triangle that did *not* include Lee Harvey Oswald!

The paragraph reproduced above, from Volume 12 of the House Select Committee on Assassinations, is the only other mention of this explosive situation. HSCA investigators apparently failed to get the complete story, or chose not to follow up on the information provided by Harris and at least partially substantiated by Mrs. Witherspoon (her current name).

Both Mrs. Witherspoon and her former husband deny any knowledge, or complicity in, the killing of Tippit. But she did become pregnant around September 1963, learned of her pregnancy two months later, and gave birth to a daughter seven months afterward. She believes the father was her former husband, while he believes it was Tippit.

Furthermore, at least one Dallas Police officer has implied that fellow officers switched physical evidence and altered the police radio recordings to hide evidence that someone other than Oswald killed J. D. Tippit!

There is, of course, no statute of limitations on murder in the state of Texas. Tippit's wife, Marie Thomas (whose husband also died a few years ago), is still alive and certainly knows some of this story. So, too, are Mrs. Witherspoon, her former husband, and the daughter. Many of Tippit's best friends are still around, including Murray Jackson, the dispatcher who sent Tippit to central Oak Cliff, is still with the DPD.

If the radio recordings really were changed, they could hardly have been altered without the knowledge or assistance of Supervisor Jim Bowles, now the Sheriff of Dallas County. There are, of course, many other problems with the Tippit murder and the apparent framing of Oswald; some have not been adequately researched and there are always new developments to consider.

OSWALD IN THE ROOMING HOUSE

According to landlady Earlene Roberts, the only known witness, Oswald arrived at 1026 North Beckley around 1pm and left 3 or 4 minutes later—she was never precise about the times. Several hours afterward she was interviewed by KLIF Radio reporter Gary DeLaune (GD):

GD: Mrs. Roberts, did you have a man registered there as O. H. Lee?
ER: Yes sir, that's the way he had registered here.
GD: And that's the man you now know to be Lee Oswald, is that right?
ER: Yes, uh that's what, the same one that showed on television
GD: That's the one that showed on television. Have there been some officer
ER: [unintelligible] to recognize him when the deputy sheriff was here.
GD: The deputy sheriff was there?
ER: Well I guess it was a deputy sheriff, Will Fritz sent him out.
GD: They came out from, uh, the police department, or the sheriff's office. How long had Mr. Lee lived there?
ER: Since the 14th of October.
GD: Did he live there alone?
ER: Yes sir.
GD: Did he, do you know what his occupation was.
ER: No I didn't, I never heard him say. He didn't talk to nobody much.
GD: I see. Did he seem to come and go every day at regular hours, or what?
ER: Well yes, he come to town every day.
GD: Pardon?

ER: Yes he would leave around 7:30 o'clock every morning and get in around 5:30 or 6.[Oswald's workday ended at 4:45pm—wonder what he did afterward?]
GD: I see. He did hold a regular job, then, as far as you know.
ER: Well I suppose so, if he ever had, he just, would leave and didn't say where or what he was doing, what kind of job he had or anything.
GD: Did you ever see him with a gun, or any weapon?
ER: No I didn't, because if I had I sure would have been suspicious.
GD: When was the last time you saw him?
ER: Today after I heard the president was shot.
GD: You saw him today?
ER: Yes.
GD: Uh where did you see him?
ER: He was here in the house.
GD: Oh. What happened, can you tell us?
ER: Well to make it clear, I had a telephone call. I do all the work myself, a friend of mine called me, said President Kennedy's been shot and I said "Oh you're lying." She said "Well turn on the television." And I turned on the television and when I did he rushed in in shirt sleeves and got a short coat and went back out.
GD: Oh, he just came in and out.
ER: Um-hmm.[Affirmative.]
GD: Did he seem distraught, hurried, or what?
ER: Well he just acted like he was in a hurry.
GD: And what did you do? Did you call the police then?
ER: No sir, I didn't know nothin', I didn't suspect him.
GD: You had no idea at all that there was any connection.
ER: No, I had no idea, none whatever. I didn't have any idea. And I spoke to him and he just ignored me.
GD: I see.
ER: But that's nothing unusual. Sometimes he'd speak to you, sometimes he didn't. I didn't call them because, I didn't know who killed him. I just turned the tv on.
GD: And this, but he came in and went out—that was this afternoon.
ER: That was this afternoon after I, this lady friend of mine called me and said President Kennedy's been shot and I went in and turned on the television. And while I was there getting it straightened out, he come in, I said "Well you sure are in a hurry" and he never answered me. And he come in and got a short *gray* coat and went on back out in a hurry and when I looked out the window he was standing at the bus stop, 'cause there's a bus stop here at the door. [Emphasis added.]
GD: Waiting for a bus.
ER: I suppose so but I didn't see him board a bus.
GD: Uh huh. And that was the last time you saw the man you knew as O. H. Lee, who's since been identified to you as Lee Oswald.
ER: Yes, uh huh.
GD: Thank you very much Mrs. Earlene Roberts, the housekeeper at a boarding house at 1026
ER: No, it's a rooming house.
GD: A rooming house, I'm sorry, at 1026 North Beckley in Oak Cliff.

Roberts' observation of Oswald at the bus stop indicates the "fleeing suspect" was considering a trip back toward downtown Dallas (away from the Tippit site), the only destination from that point. Presumably, Oswald took the bus to and from work every day, and probably knew many of their schedules.

THE TIME OF TIPPIT'S DEATH

Oswald left the rooming house around 1:04pm and Tippit was shot no later than 1:16pm, according to the Warren Commission, even though it's own Counsel, David Belin, walked the route himself in just under 18 minutes! That's a 6-minute discrepancy which demands that Oswald hitched a ride, or was innocent.

Witness T. F. Bowley looked at his watch and fixed the time of the Tippit shooting as 1:10pm, according to a Dallas Police report forwarded to the Commission; Bowley was not asked to testify.

And although Helen Markham, who pinpointed the Tippit shooting at 1:06 or 1:07, admittedly became hysterical and turned out to be a contradictory and nearly useless witness, her actions *prior to* the shooting were dependable and important.

She was on her way to a bus stop on Jefferson Boulevard, one block farther south, to catch her regular 1:12pm bus to her job at the Eatwell Cafe. Years later she told researcher Larry Harris that she always left her house around 1pm and that day was no exception. In 1964 the Secret Service confirmed her bus schedule in a report not published by the Commission.

Further corroboration comes from witness Jack Tatum, who told Harris that Markham at first didn't want to remain at the scene because she would *miss* her bus and be late to work; he had to convince her to stay and give a statement to police! In other words, the shooting and immediate aftermath must have happened before 1:12pm.

WHICH SUSPECT SHOT TIPPIT

Some witnesses saw two people involved in the shooting—Mrs. Acquilla Clemons, a middle-aged, diabetic black woman was known to a few researchers *before* the Warren Report was issued. Her last known interview was with Mark Lane on March 23, 1966; excerpts from the filmed interview appeared in both the book and movie Rush To Judgment. Here is the movie version:
ML: Mrs. Clemons, where were you on November 22, 1963?
AC: I was working for Miss Smothers, 327 East Tenth, just down the block from where Tippit was killed.
ML: Did you know Officer Tippit?
AC: Yes I saw him, pretty many times. [Oh?]
ML: And, did you hear the shots?
AC: Yes, I heard the shots.
ML: And what did you do?
AC: I ran out into the street and looked down the street, and I ran back down the street where he was lying, and I looked at him.
ML: Now, when you heard the shots, and you went out of the house, did you see a man with a gun?
AC: Yes, I did.
ML: What was he doing?
AC: Oh he was reloading it, and I say he was reloading his gun.
ML: And, how would you describe that man?
AC: Well, he was kinda chunky. He was kinda heavy, wasn't a very big man.
ML: Was he tall or short?
AC: He was kinda short guy.
ML: Short and heavy.
AC: Yes.
ML: And was there any other man there?
AC: Yes there was one on the other side of the street. All I know is he told him to go on.
ML: Mrs. Clemons, the man who had the gun, did he make any motion at all to the other man across the street?
AC: No more than told him to go on.
ML: He waved his hand and said go on?
AC: Yes, said go on.
ML: And then what happened with the man with the gun?
AC: He unloaded it and reloaded it.
ML: And what did the other man do?
AC: The man kept going, straight down the street.

ML: And then did they go in opposite directions?
AC: Yes, they were, they weren't together, they went this way [indicating opposite] from each other. The one done the shooting went this way, the other went straight down past the street, that way.
ML: What was the, the man who did not do the shooting, but the man who went in the other direction from the man with the gun, what was he wearing, if you remember.
AC: Well, as far as I can remember he had on, looked like light khakis and a white shirt.
ML: And was he tall or short?
AC: He was tall.
ML: And was he heavy or thin?
AC: He was thin.
ML: But the one who did, the one who had the gun seconds after Tippit was shot, he was short and was heavy?
AC: Yes, he was short and kind of heavy.
ML: Now, did you testify before the Warren Commission about this?
AC: I haven't said anything to anyone.
ML: Did anyone come to see you after the murder of Officer Tippit?
AC: Yes, he was a man, came, I don't know what he was. He came to my house and talked to me, but I don't know what he, looked like a policeman to me.
ML: He did. Did he have a gun?
AC: Yes, he wore a gun.
ML: Mrs. Clemons, how long after Tippit was shot did this man with a gun come to visit you?
AC: About two, about two days. It was about two days, said that I might get hurt, someone might hurt me, if I would talk.
ML: About what you saw.
AC: What I saw. He just told me to, be best if I didn't say anything because I might get hurt.

Clemons was also interviewed in 1965 by reporters Earl Golz and Tom Johnson; Golz was then with a Milwaukee newspaper and Johnson worked for the Dallas Morning News. She told them the same story she repeated for Lane, but several months ago Golz mentioned something new: she was extremely nervous and rather reluctant to talk to anyone. She finally agreed to the interview only if her *two sons* could be with her. As the five sat down, one of the sons calmly pulled out a pistol and quietly laid it on the table. While Clemons has been "missing" and presumed deceased for nearly twenty years, researchers have never known of the sons' existence.

WHERE DID THE SUSPECT GO

The Warren Commission decided the suspect, Oswald, headed west on the north side of Jefferson, then turned right just past a Texaco service station; from there, his movements were only speculation, for no one was known to have seen him until Johnny Brewer spotted him in front of his shoe store *nearly five blocks farther west.* But Earl Golz, in 1978, talked with a person who, after seeing pictures the afternoon of November 22, recognized him beyond any doubt.

Ambulance drivers Eddie Kinsley and Clayton Butler were directly across the street from the Texaco station at the Dudley Hughes Funeral Home when the emergency call for Tippit came in at 1:18. They raced to their ambulance, pulled out onto Jefferson with red lights and siren, and nearly ran over a pedestrian who had stepped off the median into their path.

The man continued to the south side of Jefferson and, as Kinsley believed, "He was heading for the library," which was two blocks farther east and on the same side of the street. Butler, who was driving, confirmed the near-miss and Kinsley's account.

Later that afternoon, as the two watched tv news coverage at the funeral home, Kinsley recognized the man they had nearly run over: Lee Harvey Oswald. Butler, unfortunately, had been too busy watching traffic to notice the man's face.

This sighting of Oswald, if true, causes serious problems with every theory of what happened. At the most, it happened about 12 minutes after the Tippit shooting, or it could have been as little as 2 minutes later. If Oswald was innocent, where was he going and why was he jaywalking and apparently oblivious to the siren and flashing red lights?

Whoever the man was, he was apparently headed toward the library at 542 East Jefferson, but wound up at the Hardy shoe store at 213 West Jefferson. Or were these two different people?

MORE MISSING BALLISTICS EVIDENCE

Ambulance driver Kinsley also told Golz a story that means the Dallas Police Department faked at least part of the Tippit ballistics evidence.

"I kicked one of the bullets out of my ambulance that went into his button...onto the parking lot of Methodist Hospital," says Kinsley. "It didn't go in the body...it fell off the ambulance still in this button."

There are four bullets in evidence, all too mangled to be firmly linked to Oswald's gun. Where did the fourth bullet come from?

Interestingly, ambulance drivers Butler and Kinsley told Golz he was the first person to ever talk with them about these other aspects of their knowledge. Butler added that he spent hours with HSCA investigators and, without explaining how he knew, said "...all the people doing the investigating was [sic] on leave of absence from the Secret Service."

Thank you, Mr. Fox, for guarding the chicken coop again!

THE NEW LEADER
OCTOBER 12, 1964

The Other Witnesses

By George and Patricia Nash

THE WARREN Commission Report already has won the respect of almost all who have read it, and deservedly so. It is a clearly written, remarkably comprehensive document that is cautious in reaching conclusions. It dispels rumors, wrecks theories, dismisses items of "evidence" used to convict Lee Harvey Oswald in the public mind, and draws some order from the confusion surrounding the assassination of President Kennedy over these past 10 months.

In the process, it also takes the trouble to dispense justice where injustices have been done. The Dallas police, for example, had issued an extremely damaging story about Joe Molina, for 17 years credit manager at the Texas School Book Depository, as a "possible Number 2 man" in the murder. Their suspicions had been aroused by the fact that Molina belonged to a veterans' organization called the American GI Forum, which the Dallas police alone considered subversive, and the publicity cost him his job. The Commission delves into the details of Molina's case and clears him.

But what of the future historians or political scientists attempting to reconstruct the events of last November 22? Will they find all the pertinent facts in the voluminous Report? In the light of an intensive two-week investigation that we conducted ourselves in Dallas, we would have to answer: No. Particularly where the slaying of Patrolman J. D. Tippit and the events at the Depository are concerned, the Report is less than complete.

The most convincing aspect of the case against Oswald involves the testimony of three witnesses to the Tippit shooting at 10th Street and Patton Avenue, in Oak Cliff. Here the evidence is not merely circumstantial, as with the assassi-

nation. The Commission quotes extensively the accounts given by three persons who were near the scene of the crime: William Scoggins, Domingo Benavides and Mrs. Helen Louise Markham.

Taxi-driver Scoggins—eating lunch in his parked taxi—noticed a man and the approaching police car, heard shots, saw Tippit fall, then saw the man run south on Patton. At the moment of the actual shooting his view was partially obstructed by shrubbery, and he did not emerge from the cab until he heard the firing. The next day he picked Oswald out of a lineup, not as the killer but simply as the man he had seen running past him.

Domingo Benavides was driving a pickup truck west on 10th Street. As he crossed the intersection a block east of 10th and Patton, he saw a policeman standing by the left door of the patrol car and a man standing on the car's right side. He then heard three shots and saw the policeman fall. He waited in the truck until the gunman ran to the corner, and saw him empty the shells into some bushes. "It was Benavides, using Tippit's car radio, who first reported the killing of Patrolman Tippit at about 1:16 P.M.," the Report declares, although the ambulance records show a different source of the shooting report. The Report goes on to note that Benavides told police "he did not think that he could identify the man who fired the shots."

Mrs. Markham gave the only detailed account of what occurred between the gunman and Tippit from the moment the patrolman stopped on 10th Street. According to the Report: "Her description and that of other eyewitnesses led to the police broadcast at 1:22 P.M. describing [Tippit's] slayer as 'about 30, 5'8", black hair, slender.'" But Mrs. Markham also told attorney Mark Lane that the gunman was "short, a little on the heavy side," with "somewhat bushy" hair. In testifying before the Commission, she first denied that she had ever said this and changed her story only when confronted with a tape recording of the conversation. The Commission observes that "in her various statements and in her testimony, Mrs. Markham was uncertain and inconsistent in her recollection of the exact time of the slaying." Nevertheless, the Report declares: "Addressing itself solely to the probative value of Mrs. Markham's contemporaneous description of the gunman and her positive identification of Oswald at a police lineup, the Commission considers her testimony reliable."

Contrary to what some have maintained, we did not find Mrs. Markham inaccessible. Our interview with her, though, did lead us to feel that any testimony she might give was of dubious value. Since she is a critical witness, we think part of the interview worth quoting verbatim:

"Q. Has the assassination of the President and what happened afterwards affected you personally?

"A. It sure has. I lost my job . . . having to go to Washington. I've had a nervous breakdown. I'm the witness. I'm the one he was talking to when he died. I know what it's like when someone dies. I was with my father when he died. He [my father] said 'Well, I don't know.' And then he was dead. I couldn't understand what Tippit said. I guess he wanted me to call on the car radio and get some help. I was there with Tippit when they put him on the stretcher. He was dying.

"Q. Was it long until the ambulance came?

"A. No.

"Q. About how long?

"A. I was there hollering and screaming, trying to get help. Wouldn't nobody come help me. I would guess that it was about 20 minutes before the ambulance came—20, 25 minutes I was there alone until the ambulance came and then another five minutes until the police came . . . The police treated me like a queen. Me and the cab driver, I guess we're the only witnesses. When the police got there, I fainted. I fainted three or four times."

Thus Mrs. Markham stated that Tippit talked to her after being shot (although the Commission says he was killed instantly), and that she was alone on the scene for 20 minutes (although the ambulance arrived within minutes of the shooting). And nowhere does she mention Benavides, who used the car radio to call the police.

WE WERE able to locate at least two witnesses at the Tippit murder scene who were not questioned or even contacted by the Commission. We had little difficulty in tracking them down and we could find no reason to doubt their veracity. Because their statements are important in relation to Mrs. Markham's testimony, and because they have not appeared elsewhere, we shall also quote them verbatim. First, Frank Wright, who lived in a ground floor apartment on 10th Street, about half a block east of the murder site:

"I was sitting watching television with my wife. I was sitting in a chair next to the door. I wasn't but two steps from the door. I heard shots. I knew it wasn't backfire. I knew it was shots. As soon as I heard them, I went out the door. I could see a police car in the next block. It was toward the end of the next block. I could see it clearly. The police car was headed toward me. It was parked on the south side of the street. In other words, it was parked across the street from our apartment house. I saw a person right by the car. He had fallen down. It seems as if he had just fallen down. Maybe I saw him as he had just finished falling. He was on the ground, and then he turned over face down. Part of him was under the left front fender of the car. It seems to me that I saw him just as he hit the ground. I saw him turn over and he didn't move any more.

"I looked around to see what had happened. I knew there had been a shooting. I saw a man standing right in front of the car. He was looking toward the man on the ground. He stood there for a while and looked at the man. I couldn't tell who the man was on the ground. The man who was standing in front of him was about medium height. He had on a long coat. It ended just above his hands. I didn't see any gun. He ran around on the passenger side of the police car. He ran as fast as he could go and he got into his car. His car was a grey, little old coupe. It was about a 1950-1951, maybe a Plymouth. It was a grey car, parked on the same side of the street as the police car but beyond it from me. It was heading away from me. He got in that car and he drove away as quick as you could see. He drove down 10th Street, away from me. I don't know how far he drove. After he got into the middle of the next block between Patton and Crawford, I didn't look at him any more.

"I looked at the car where the man was. I looked to see what had happened there. About the same time as I came out, or maybe a little while after, a woman came down from her porch. She was at the house about three or four doors from the intersection of 10th and Patton. The house was on the same side of the street as the police car. Just as the man in the car pulled away she came toward the police car and then she stepped back. I heard her shout, 'Oh, he's been shot!' throwing up her hands. Then she went back up toward the house. There was no one out there except me and that woman when I got there, except for the man I described earlier. I couldn't figure out who did the shooting. I didn't see a gun on the man who was standing in front of the car. There wasn't anyone else but the man who drove away and the woman who came down from her porch. I was the first person out. I knew there wasn't anyone else there at all. It wasn't any time at all until the ambulance got there. By the time the ambulance got there, there were maybe 25 more people outside. Then after a while, the police came up. After that, a whole lot of police came up. I tried to tell two or three people what I saw. They didn't pay any attention. I've seen what came out on television and in the papers but I know that's not what happened. I knew a man drove off in a grey car. Nothing in the world's going to change my opinion. I saw that man drive off in a grey coupe just as clear as I was born. I know what I saw. They can say all they want about a fellow running away, but I can't accept this because I saw a fellow get in a car and drive away."

We have no way of knowing how the investigation could have ignored Wright, whether his memory is accurate, or whether a plausible explanation for the mysterious man in the car might be a passerby unwilling to be a witness. For our purposes here, such speculation is beside the point, which is simply: Why didn't this account come to the Commission's attention?

The question becomes all the more relevant when it is realized that it was a call from Mrs. Wright which was responsible for the ambulance being dispatched, and the police had her address:

"I was sitting in my apartment watching television with my husband. We had just learned that the President was shot. I was sitting in a chair with my back to the intersection of 10th and Denver. My husband was sitting across from me. I heard shots fired and I immediately ran to the window.

"I heard three shots. From my window I got a clear view of a man lying there on the street. He was there in the next block. I could see there was a man lying in the street. I didn't wait a minute. I ran to the telephone. I didn't look in the book or anything. I ran to the telephone, picked it up and dialed 'O.' I said, 'Call the police, a man's been shot!' After that I went outside to join my husband. It wasn't but a minute till the ambulance got there."

The operator took Mrs. Wright's address, 501 East 10th, and called the police. The police noted there was a shooting at 501 East 10th and pushed a buzzer connecting them by a direct line to the Dudley M. Hughes Funeral Home.

THE DUDLEY M. Hughes Funeral Home is the central ambulance dispatching point for southern Dallas. It either handles calls directly or calls other funeral homes in the system that cover other areas. Dudley M. Hughes Jr., the dispatcher, took the call from the police. He filled out an ambulance call slip with the code "3-19" (which means emergency shooting) and the address, "501 East 10th Street." He put the slip into the time clock and stamped it 1:18 P.M., November 22, in the space marked "Time Called." Since the location was just two short blocks away he told one of his own drivers, Clayton Butler, to respond. Butler and Eddie Kinsley ran down the steps, got into the ambulance and took off, siren screaming.

Butler radioed his arrival at the scene at 1:18 P.M., within 60 seconds of leaving the funeral home. He remembers that there were at least 10 people standing around

the man lying on the ground. It was not until he and his assistant pulled back a blanket covering Tippit that they realized the victim was a policeman.

Butler ran back to his radio to inform headquarters. The radio was busy and he could not cut in. He yelled "Mayday" to no avail, and went back to Tippit. The officer lay on his side, face down with part of his body under the left front fender of the police car. Butler and Kinsley rolled him over and saw the bullet wound through Tippit's temple. Butler told us, "I thought he was dead then. It's not my position to say so. We got him into the ambulance and we got going as quick as possible. On the way to the hospital I finally let them know it was a policeman." The record shows that Butler called in to the funeral home at 1:26 P.M. to say he had reached the hospital.

Despite the fact that the ambulance was dispatched to 501 East 10th, no statement was ever taken from either of the Wrights. Mrs. Wright remembers that a man who did not identify himself came around two months after the President's assassination and talked with her for a few minutes. He took no notes, did not ask her to sign anything, did not speak to her husband and did not ask if he had seen anything unusual. Clayton Butler, the ambulance driver, says he was questioned by the Dallas police when he arrived at the hospital, but not since then.

Others never questioned included Butler's assistant, Eddie Kinsley; Dudley M. Hughes Jr., who dispatched the ambulance; and the managers of the apartment house facing the murder site. All of these potential witnesses were in agreement on the lapse of time between the shots and the arrival of the ambulance—in direct contradiction to Mrs. Markham's statement. It is worth noting, in connection with Mrs. Markham's reliability, that the lineup (which satisfied the Commission as fair in its procedure) included only three persons besides Oswald for Mrs. Markham to choose from: two 18-year-olds and a 26-year-old man of Mexican descent. Oswald (who had appeared on television before this lineup) was the only one whose face was cut and bruised. In the light of our own findings in the Tippit slaying, it appears quite possible that Mrs. Markham came on the scene only after hearing the shots; and without Mrs. Markham, there is no one to say precisely what happened between Tippit and Oswald.

THERE ARE also a number of other points which the Report leaves unresolved or untouched:

1. The Report cites as one "speculation" the rumor that "another witness to the slaying of Patrolman Tippit, an unidentified woman, was interviewed by the FBI but was never called as a witness" by the Commission. In reply, the Report declares: "The only woman among the witnesses to the slaying of Tippit known to the Commission is Helen Markham. The FBI never interviewed any other woman who claimed to have seen the shooting and never received any information concerning the existence of such a witness."

We interviewed this "other witness," whose name is Acquilla Clemmons. She claims to have seen two men near the police car, in addition to Tippit, just before the shooting. The woman said the FBI did question her briefly but decided not to take a statement because of her poor physical condition (she is a diabetic). Her version of the slaying was rather vague, and she may have based her story on second-hand accounts of others at the scene. It seems probable, however, that she is known to some investigative agency if not to the Commission itself.

2. The Report dismisses the rumor that Oswald lived near Jack Ruby, pointing out that their residences were a mile apart. But the Tippit shooting took place only two blocks from Ruby's home on Marsalis St., a fact not mentioned by the Commission.

3. The Report gives the impression that Oswald was the only Depository worker found to be absent after the assassination. But Bill Shelley, Oswald's foreman, and others who worked in the building told us that Charles Givens was missing from the sixth floor work crew. Shelley said he was sent outside in an unsuccessful attempt to locate Givens, and there was talk of sending out an "all-points bulletin" on the missing man. This proved unnecessary because Givens heard he was being sought and made his way to police headquarters.

4. The Report accepts the version of the assassination aftermath in which Roy Truly, the Depository supervisor, and Patrolman M. L. Baker are supposed to have entered the building and met Oswald on the second floor less than two minutes after the attack. But Molina, the unjustly accused worker, told us he testified that he was standing by the Depository door and saw Truly run past him into the building—alone. Further, Bill Shelley told us that Truly and Baker entered five or six minutes after the shooting.

Obviously, the question of the precise timing has important implications: If Oswald was not encountered for five or six minutes after the shooting, this would have allowed him time to reach the second floor easily from either the sixth floor or from the front of the building, as he himself claimed; if the time was just two minutes, the argument is sure to continue that Oswald could not have made it from the sixth floor to the second—despite the FBI re-enactment showing this was possible.

5. The Report mentions that "the front door" and "the rear door" of the Depository were guarded from about six minutes after the shooting. What it omits, however, is that there were four separate "rear doors," all of which were open and only one of which was guarded. There are two loading platforms, a customer's door and a rail entry. No one guarding any one of these doors could see any of the others. This conceivably might be relevant to a question of whether Oswald acted alone. As Shelley told us, "Any one of a thousand different people could have entered or left the building and nobody would have known it."

Again, our purpose in discussing the items we found untouched or unresolved by the Report has not been to determine whose version of the events is correct, or to establish any one person's guilt or innocence. Our object has simply been to demonstrate that future historians and social scientists will not be able to reconstruct what occurred last November 22 from the Commission's report alone. Moreover, as the years go by, witnesses vanish, inconsistencies are forgotten and memories fade, the questions they will undoubtedly raise will become increasingly difficult to answer with any degree of accuracy.

DTN 11-30-85

Warren lost FBI ally over report

JFK death probe irked Hoover, files suggest

New York Times News Service

DURHAM, N.C. — Government documents made public 22 years after the slaying of President John F. Kennedy suggest that the Warren Commission's report on the assassination put an end to a longstanding political alliance and personal friendship between Chief Justice Earl Warren and J. Edgar Hoover, director of the FBI.

More than 1,300 pages of FBI documents, released under the Freedom of Information Act, show that Warren and the FBI had a cooperative relationship that began while Warren was a district attorney in California and continued while he was governor.

The Warren Commission report, issued in September 1964, concluded that the president was assassinated by Lee Harvey Oswald alone and found no evidence of a conspiracy. It cited the FBI as taking an "unduly restrictive view of its role in preventive intelligence work prior to the assassination" and said "a more carefully coordinated treatment of the Oswald case by the FBI might well have resulted in bringing Oswald's activities to the attention of the Secret Service."

Hoover called the report's critique of the FBI unfair. Less than three months later Warren was taken off the FBI's "special correspondents list," a collection of prominent citizens perceived to be strong supporters of the bureau.

Biographers have assumed that Hoover came to dislike Warren because of his liberal court decisions. In his years of public office in California, Warren was known for his tough law-and-order stance and anti-communism.

But according to the documents, the friendship began to crumble nine days after the Warren Commission's first meeting. In a memorandum dated Dec. 14, 1963, Hoover said that the FBI's report on the assassination had been released to the press by Warren and "the Chief Justice had been very much annoyed at the information to come out in the FBI report."

Years later, however, William C. Sullivan, a former assistant to the FBI director, admitted that the bureau had released portions of the report.

An FBI document indicates that Hoover was opposed to the formation of the commission and prepared dossiers on members of the commission and its staff. The document also describes reports concerning FBI attempts to impede the investigation, including withholding information from the commission.

Harold Weisberg, author of *Whitewash* and five other books attacking the findings of the Warren Commission, contends that Warren knew that the FBI was withholding information but felt it was his "national duty to preserve tranquility," and therefore did not press the FBI.

But according to G. Edward White, a professor of law at the University of Virginia, who wrote *Earl Warren: A Public Life*, the chief justice "really believed, given what they were investigating, that the FBI and CIA, would cooperate with the commission."

The trust between Hoover and the chief justice that began in the 1930s developed into a special FBI program entitled "Cooperation with Gov. Earl Warren." According to FBI records, from 1948 to 1953, Hoover authorized agents to furnish confidential information to Warren.

The files also show that the FBI provided favors to Warren, including a personal car and driver on several occasions.

"Whatever the governor requests I want prompt attention accorded it," Hoover wrote in 1951.

One of the last entries in the FBI's file is a letter from Hoover to Warren after the chief justice announced his resignation in 1968. "You have contributed untiringly and unselfishly to furthering the best interests of the nation," Hoover wrote, "and your record of achievements will long stand as a monument to you."

DEFECTIVE DETECTION—THE MYSTERIOUS LAUNDRY MARK

by Larry Ray Harris

Within minutes of the initial report that a Dallas policeman had been involved in a shooting in the Oak Cliff section of Dallas, a sizeable contingent of city and county law enforcement officers, private security employees, and at least one FBI agent descended upon the vicinity of East 10th & Patton Avenue. The man who fatally shot patrolman J. D. Tippit had left the scene afoot, and pursuing lawmen quickly began following his trail. One officer, erroneously identified in the Warren Report as police captain W. R. Westbrook, came across a white jacket which had apparently been discarded by the fleeing killer [1]. Some 20 minutes later another policeman, wrongly identified as Sgt. H. H. Stringer [2], contacted the Dallas Police Department radio dispatcher to report another discovery: "The jacket the suspect was wearing over here on Jefferson (Boulevard) bears a laundry tag with the letter 'B9738'. See if there is any way you can check this laundry tag." (CE1974, p. 188).

There wasn't: in 1963 the DPD lacked the means by which to trace the tag. Captain A. O. Jones of the DPD Forgery Bureau was interviewed by the FBI on April 1, 1964, and "advised that there is no central file for visible laundry and dry cleaning marks in the Dallas area." That is, the department did not maintain a cross-indexed filing system consisting of laundry imprint samples and tags collected from the city's commercial cleaning firms. Establishing and updating such a system was a time-consuming and tedious chore; nevertheless, the practice was a popular one among law enforcement agencies in many U. S. metropolitan areas, and with good reason: the distinguished American criminologist Charles O'Hara once observed, "For every case which is 'solved' by a latent fingerprint, there are probably ten solved by laundry and dry cleaner's marks."

And so, the task of tracing the B9738 tag was inherited by the FBI. The Bureau's Dallas office took possession of the jacket from police on November 28, 1963 [3] and forwarded it to Washington on December 2 for scientific tests. Yet the available Warren Commission and FBI documents indicate that no attempt to trace the tag was undertaken *until the commission specifically requested it* in a letter to FBI director J. Edgar Hoover on March 24, 1964. The ensuing inquiry, initiated on April 1, was a hurried affair, and just three weeks later Hoover had a report from Dallas detailing the investigation. Another summary, based on the same report, was prepared and dispatched to the commission's offices by FBI courier on April 29. That document, not made public by the commission, indicated that the Bureau, with its vast resources and investigative techniques, had been unable to successfully trace the tag: "All cleaners and laundries in the Dallas, Irving and Fort Worth, Texas areas listed in the respective current telephone directories were contacted without identifying the laundry or dry cleaning establishment which had placed such laundry mark and/or dry cleaning tag in this jacket." A related document, also unpublished, disclosed that 424 cleaning firms had been contacted with negative results. Subsequently, the probe was extended to the greater New Orleans area where Lee Oswald had spent the summer of 1963; it also produced negative results.

The Warren Report was mute on the subject of the B9738 tag, as well as a second mark imprinted directly on the jacket's inside collar; both the mark and the tag were investigated concurrently, but no reference to either appeared anywhere in the 888-page volume. But the unpublished FBI report that was hand-delivered to the President's commission on April 29 revealed that the Dallas phase of the investigation had produced an interesting and potentially significant lead: "Without a doubt," B9738 had been imprinted in ink on a 1-inch fiber strip and then double-stapled to the jacket by a device called the Tag-O-Lectric Machine. That was the consensus of two officials of Dallas Tailor and Laundry Supply Company and the president of Southern Cleaners and Laundry Supply Company, Dallas.

According to Dallas Tailor and Laundry's city manager, the only way to identify the B9738 tag with a particular laundry or dry cleaning establishment would be to compare the tag with samples taken directly from marking machines utilized by each firm, looking for printing characteristics peculiar to a particular machine. Both Dallas Tailor's city manager and Southern Cleaners' president told the FBI that the Tag-O-Lectric Machine was not widely used in the Dallas area. But the vice president of Dallas Tailor and Laundry provided a bonus tip: to his knowledge there were only *nine* Tag-O-Lectric Machines in Dallas which could have produced the B9738 stamp. Moreover, all nine were owned by the White Star Laundry and the Blue Ribbon Laundry.

White Star and Blue Ribbon were sister companies owned and operated by three brothers. Ralph and Wesley Gilliland were co-owners of the Blue Ribbon chain, comprised of four outlets, while their brother Burton ran White Star's seven outlets. Armed with the knowledge that B9738 had been printed by a Tag-O-Lectric Machine and that the only known Tag-O-Lectrics in Dallas were the nine owned by two related companies with a combined total of 11 outlets, did FBI agents shift into high gear to determine whether or not any one of the nine machines could have produced B9738? Did they move to pinpoint the exact location and status of each machine? Did they visit the main outlets of Blue Ribbon and White Star to interview the proprietors and to account for all nine Tag-O-Lectrics?

In 1979 Burton Gilliland, who for more than 25 years has supervised daily operations at White Star's main outlet, told me that no one from the FBI ever contacted him, either telephonically or in person, regarding a garment associated with the assassination. Wesley Gilliland, overseer of day-to-day operations for Blue Ribbon, likewise told me that he was never contacted by FBI agents. And finally, Ralph Gilliland, who as co-owner of Blue Ribbon kept an office at its main outlet but deferred managerial responsibilities to his brother Wes, also told me that he was never questioned by anyone from the FBI.[4]

At one point during the FBI canvas of the Dallas area's 424 cleaning firms, an agent did speak with Jim Wyatt, Blue Ribbon's assistant general manager, and inquired only about the firm's coding system; the agent apparently was satisfied to learn that the system used numbers only, no letters. That was the extent of the Bureau's contact with Blue Ribbon, even after learning the day following the Wyatt interview that the same company had some of the only known Tag-O-Lectric Machines in town. A follow-up inquiry would have been appropriate, but none was apparently made. Had the FBI investigators done a follow-up, Wyatt might have told them the same thing he told me in a 1979 interview: Blue Ribbon leased and sold its older marking devices (such as the Tag-O-Lectric) that had been replaced by new machines. Usually, a used machine would be purchased by a small, independent cleaning company that was just starting in the business or one that couldn't afford to purchase a brand new model. This information in 1964 would have taken on even greater significance in light of another fact Wyatt related to me 15 years later: each Tag-O-Lectric Machine came equipped with a set of interchangeable print wheels that would permit the device to stamp *any combination of letters and/or numbers.* Therefore, even though Blue Ribbon's coding system apparently ruled it out as the firm that had applied the B9738 mark, a laundry that had purchased a Tag-O-Lectric from Blue Ribbon could have then used the machine in establishing its own particular coding system.

Hindsight—enhanced by documentation from subsequent investigations by both the U. S. Senate and House of Representatives, as well as benefits derived from the Freedom of Information Act—has given us a clearer understanding of the circumstances and factors that prevented a thorough, objective investigation in 1964 and resulted in such a flawed and controversial inquiry. Years later, evaluating the performance of the FBI in its handling of the original JFK inquiry, the House Select Committee on Assassinations concluded that, "the critical early period of the FBI's investigation was conducted in an atmosphere of considerable haste and pressure from Hoover to conclude the investigation in an unreasonably short period of time." The House committee also commented on Hoover's personal predisposition that Oswald had been a lone assassin, noting that it affected the course of the investigation by adding to the momentum to rapidly conclude the case (R HSCA 244).

Consider the plight of FBI agents assigned to investigate the B9738 laundry tag. Hurried and harried by their

supervisors up the chain of command to headquarters in Washington, the agents completed the bulk of the probe in less than three weeks and hastily submitted a report that was inconclusive. Documents to date confirm the shallow nature of this particular effort by Bureau personnel, and the half-hearted approach to tracing the laundry tag certainly belies that agency's vaunted investigative prowess and capabilities. Earlier—less than three weeks after the assassination—its legendary Director leaked details from an FBI Summary Report (dated December 9, 1963, and highly publicized at the time) which concluded that Oswald had single-handedly killed both Kennedy and Tippit. Would agents in the field risk jeopardizing the lone nut scenario being stubbornly propounded by Hoover and others in the Federal Government? Privately, behind the scenes, the agents in Dallas were undoubtedly aware of problems with the Dallas Police version of the Tippit shooting. The curious handling of the jacket by the DPD, the garment's mysterious change in color, and the presence of two laundry marks on a jacket that the frugal Oswald's widow said she recalled washing by hand—the FBI men in Dallas surely were aware that the B9738 tag represented a potential hornet's nest of considerable magnitude.

The B9738 laundry tag was a singular clue. Most people will remove such tags from articles of clothing that have been commercially cleaned; many will remove a tag promptly, while others might wear a garment a time or two before noticing and/or removing the tag. The fact that the jacket discarded by Tippit's assailant still bore a laundry tag raised the possibility that it had very recently been professionally cleaned. Had the B9738 tag been investigated in a timely and painstaking manner, the result might have cast the policeman's death in a different light entirely. Therein, of course, lay the FBI's dilemma.

Sources for this article include the following: Commission Document (CD) 868; CD 993; CD 1245; CD 205; CD 1066; author's interviews.

NOTES:

[1] According to the verbatim transcript of Dallas Police radio transmissions (CE 1974) prepared by the FBI at the request of the Warren Commission, the policeman who discovered the jacket in a parking lot behind a nearby service station was assigned call number '279'; his identity, however, was "unknown" according to a notation on the transcript. The name of the officer who recovered the jacket, disclosed here for the first time, was John Mackey. A motorcycle officer who went on to obtain the rank of sergeant in the DPD communications division, Mackey responded in an angry and evasive manner when I approached him for an interview in 1978. Beyond a cursory account, he refused to discuss his finding of the jacket 15 years earlier. "That information," he told me, "might be something they (senior DPD officials) don't want given out."

[2] Interviewed in 1978, Stringer told me that the transcript was in error in naming him as the officer who reported the B9738 laundry mark. "I never did see the jacket," he said, "and I didn't radio in on it."

[3] The police retained custody of the garment for nearly a week; it was not among items of evidence, including the shirt worn by Lee Oswald at the time of his arrest, turned over to the Bureau on the evening of November 22. There is no indication that Oswald was ever questioned about or confronted with the jacket, and Dallas authorities were strangely silent about the garment during repeated blow-by-blow accounts of the evidence being compiled against the accused assassin. Just what may have transpired between the apparent recovery of a white jacket on November 22 and the transmittal of a gray jacket to the FBI on November 28 remains a mystery.

[4] Despite the FBI claim that it contacted 424 cleaning firms in the Dallas-Fort Worth area, the thoroughness of the canvas seems quite questionable. In 1978, while trying to verify a rumor that the B9738 tag had in fact been traced to a small Oak Cliff laundry, I spoke with the retired proprietor of two different independent cleaners in Oak Cliff who maintained that they were never contacted by the FBI.

FWST 12-18-85

Sirhan to get new parole review

Star-Telegram News Services

LOS ANGELES — Sirhan B. Sirhan, who is serving a life sentence for the assassination of Robert F. Kennedy, has been granted a new parole review, officials said Tuesday.

Sirhan's attorney, Luke McKissack, had complained of unfair treatment at a June 26 parole hearing when a three-member panel denied Sirhan's request that a parole date be set and said he could not reapply for two years.

The panel's deliberations, peppered with laughter and off-color remarks, were overheard by reporters through microphones that were inadvertently left on.

The state Board of Prison Terms decided that the panel failed to specifically list reasons for denying rehearing in a year — procedures set down by the state Supreme Court — and ordered a new hearing.

The panel denied any impropriety.

A date for the new hearing has not been set.

Fort Worth Press, Friday, January 24, 1964

Oswald Landlady A Bundle of Nerves

By JOHN TACKETT

DALLAS —Mrs. A. C. Johnson, Lee Harvey Oswald's landlady for the last five weeks of his life, has been turned into a bundle of nerves.

Her brick apartment house at 1026 N. Beckley in Dallas—the last residence of President Kennedy's accused assassin—has been gawked at, photographed and marched through by hundreds of reporters from all over the world.

Prank callers and cranks have rung her phone constantly since the news was out that one of her roomers was the accused murderer of Mr. Kennedy.

THE TELEPHONE number Mrs. Johnson had for 23 years had to be changed.

"I can't keep roomers," she lamented. "Reporters and photographers coming in and out all the time . . . people wanting to see the room . . . people wanting to take pictures of it.

"A couple of people have said they want to sit in the room and write a book about Oswald."

Mrs. Johnson said learning that Oswald was arrested for killing President Kennedy was one of the greatest shocks ever to hit her nervous system.

But it didn't stop then and it hasn't stopped yet.

DURING THE interview for this story, Mrs. Johnson sat at her kitchen table in the mid-afternoon, dressed in her house robe. She appeared on the verge of tears at times.

The 62-year-old woman said she never expected to rent Oswald's room again. "You couldn't rent it with people going in and out all the time."

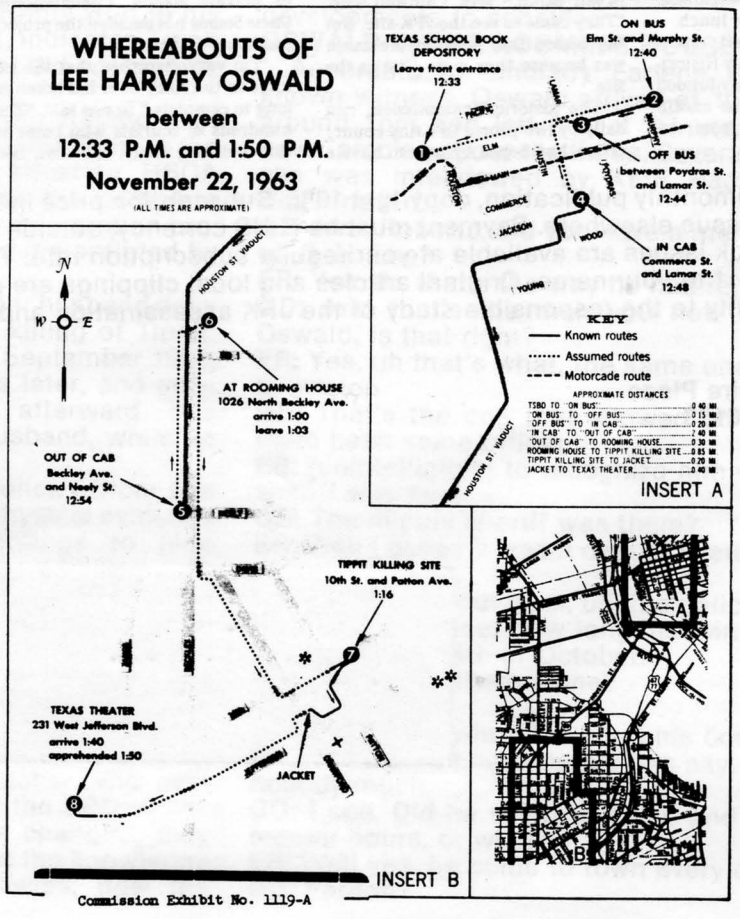
The room is a tiny cubicle off the spacious living room. Originally, it was a library. Mrs. Johnson put in a small bed an air conditioner and a clothes closet.

"He liked the room," she said. "He took it because it was all I had at the time. But he preferred it after I had another room available.

"He said he liked it because of all the windows, all the light."

A row of windows covers one wall next to the bed.

(All the light? Then why would he want curtain rods?)



**Library
*Clemons
+Butler,
Kinsley

DMN 11-22-85

Kennedy exhibit plan foundering

Assassination still touchy subject in city

By Laura Miller
Staff Writer of The News

There are relics from that November day.

At Fair Park, a dozen yellow roses intended for Jackie Kennedy lay decayed but untouched in a box.

At a wax museum in Grand Prairie, the polka-dot dress worn by Judge Sarah T. Hughes to swear in the new president on Air Force One is worn by a likeness.

At the Dallas Public Library, sympathy cards and flowers sent to the grieving people of Dallas 22 years ago are carefully pasted in scrapbooks and stored away.

The anniversary of the assassination of President John F. Kennedy is no longer formally observed in Dallas. And no museum exists to commemorate the events of Nov. 22, 1963.

But not a day passes that someone in Dallas does not confront the memories of that day 22 years ago.

Ask Ronnie Roese, who works at Fair Park's Hall of State, home of the yellow roses that a mournful Dallasite picked off the head table at the Dallas Trade Mart when Mrs. Kennedy never arrived for lunch.

Or ask Shirley Caldwell, chairwoman of the Dallas County Historical Commission, a county-funded group that has become the unofficial caretaker of relics from the presidential assassination.

When two Massachusetts lawyers asked Thursday morning if they could see the sixth floor of the former book depository, they wound up at Mrs. Caldwell's office. When a 7-year-old Wisconsin boy wrote for a copy of the ill-fated motorcade route, Mrs. Caldwell got the letter. When a woman in Canada asked if the limousine in which Kennedy was riding was in a Dallas museum, Mrs. Caldwell was the one who responded, "No."

"Each and every day, there is someone who calls or writes or comes by about the assassination," said Mrs. Caldwell, who has been commission chairwoman since 1983. "There's nowhere else for them to go. They get so frustrated because Dallas has nothing to show them.

"People are just innately curious about history. And this is history."

The public has never been admitted to the old book depository's sixth floor, where Oswald allegedly fired the fatal shot. Only the media is given access — but that doesn't mean others don't try.

Several months ago, a Dallas man offered Mrs. Caldwell $100 if she would show him and his son the floor. She turned him down.

"I feel terrible saying no, but we just can't let some in and not others," she said. "We have to be fair."

But still, the tourists come.

In May, visitors from Israel, France, Sweden, Norway, Germany, Mexico City, England, Taiwan and Belgium signed the ledger at the John Neely Bryan cabin, just a block from the old depository.

"Now you know they didn't come to Dallas to see the John Neely Bryan cabin," Mrs. Caldwell said. "They came to see the JFK site. But the reason they were at the cabin was because they were first at the site."

The historical commission, run daily by two people in a tiny county office, had hoped by now to have a place for tourists to remember Kennedy.

More than two years ago, county officials appointed an 11-member panel to raise $3 million to transform the depository's sixth floor into a tasteful — purely educational — assassination exhibit. But the project has suffered from a slow-moving board and lackluster donor interest.

"I think we're all getting a little weary," Mrs. Caldwell said. "Where will the money come from? That's a very good question. It's one we've been puzzling over for awhile."

The exhibit's board, called the Dallas County Historical Foundation, is headed by Lindalyn Adams, who has worked since 1977 to spark public interest in the project.

Because Mrs. Adams said she knew the assassination was a sensitive subject for the old Dallas establishment, initial fund-raising efforts were very low-key. Only two corporations have donated to date, but a major fund-raising drive is being discussed for next year.

"You are dismayed if you are turned down by a major source of funding you anticipated you would receive," Mrs. Adams said. "But this is the case in fund raising. . . . I take responsibility for not pushing this harder, but I haven't been able to spend a great deal of time on it."

The foundation has just paid $10,000 to have a promotional film called *One November Day* produced for potential corporate donors. It will be shown to Dallas County commissioners at noon Tuesday.

Although city and county officials have left the Kennedy exhibit to private hands, Commissioner Chris Semos has decided the project needs new impetus.

"I'm very disturbed that the exhibit on the sixth floor has taken so long to complete," Semos said. "The hundreds of tourists who come to this building daily, who we see, want this exhibit."

Semos said he plans to propose a new fund-raising idea at Tuesday's preview meeting.

BRIEFS....Henry Hurt's book Reasonable Doubt appeared in a few book stores late this month; advance orders were nearly triple what was expected, so the publisher hired a PR firm, rather than use an in-house group, for promotion. Ten uncorrected proofs were sent to buyers, but David Phillips found one and is now threatening to sue unless given a 2000 word rebuttal in future editions (wonder if Maurice Bishop will make the same demand)....There was an excellent turnout on the 22nd anniversary - several hundred of us, including Penn Jones, were in the Plaza at 12:30; Penn looks good and says he and Elaine have chosen a very private life - they both seem very happy....More good news: researcher Larry Harris has moved back to Dallas, has resumed his work on the Tippit killing, and will continue to write with Gary Shaw - welcome back, and thanks for your article about the laundry tag! ....The bad news is that Roy Truly died November 15 at the age of 78; the man who hired Oswald at the TSBD consistently refused interviews, even on the 20th anniversary....Tony Summers is working on more Monroe info for the paperback release of Goddess....Next issue: more Tippit material from Dale Myers, the killing of Marilyn Monroe by ABC, and a live, credible witness who saw a man with a rifle behind the picket fence.

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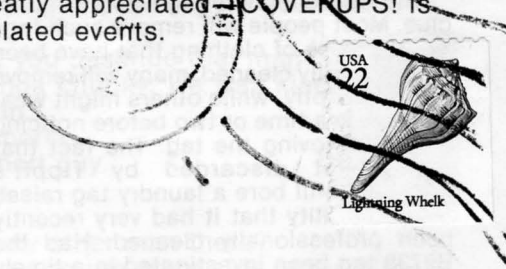

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